

.Regular meeting of the City Council,Austin ,Texas Jan'y 18th 1909;

Hon F M Maddox,Mayer ,Presiding: Roll called:

Present Aldermen Armstrong,Creeker,Cunee,Haynes,Meredith,Miller,Morland,Petri,
Rupp,Scott, Smith,& Wilhelm

22 11

Absent Aldermen Moore,Road & Suter

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On motion the minutes were approved as recorded by the Clerk,without reading.

The Mayer stated that he was authorized by Mr Gee Walker to extend an invitation to the Council to attend the performance at the Opera House this evening as his Guests.On motion the invitation was accepted with thanks .

Petitions,Memorials,etc:

The Mayer laid before the Council a petition from R E Thompson asking to have his Assessment for taxes corrected,whic was read and on motion referred to the Claims and Accounts VCommittee.

The Mayer laid before the Council a petition from C M Pares in regard to wages , which was read and on motion referred to the Committee on Claims and Accounts . Alderman Cunee moved a call of the Council,which was seconded and the Marshal directed to bring in the absentees.On motion Alderman Suter was excused from attendance at this session of the Council,on account of sickness.

Alderman Moore entered the Council chamber and answered to his name . On motion Alderman Road was excused from attendance at this session of the Council on account of sickness.

On motion the call was suspended .

The Mayer laid before the Council applications from several parties for the position of Bridge keeper,which were on motion laid over to come up later.

The Mayer laid before the Council a communication from Fred C Malone tendering his resignation as Bridge Keper,On motion the resignation was accepted . The Mayer laid before the Council a communication from West Austin Hose Co asking to have certain work done at their Hall,which was read and on motion referred to the Finance Committee.

Reports of City Officers:

The Mayer laid before the Council the reports of the Assessor & Collector,the Clerk,the Marshal & The Sexton for the month of Dec 1908,which were referred to their appropriate Committees,without reading .

Reports of Standing Committees:

Alderman Haynes for the Finance Committee to whom was referred the reports of Assessor & Collector ,the Treasurer & the Clerk,presented a report stating that they had been examined and found correct.On motion the report was acoeted.

Alderman Cunee for the Ordinance Committee to whom was referred an ordinance authorizing the WAustin Electric R R Co to change its tracks on San Jacinto and other streets,presented a majority report recommending that the petition be not granted.Alderman Scott for a minority of said Committee presented a report recommending that the petition be granted . On motion persons interested in the ordinance were invited to address the Council. After remarks by several parties,Alderman Haynes moved to adopt the majority report: Alderman Scott moved as a substitute to adopt the minority report . The vote was taken on the motion of Alderman Scott,and the motion lost by the following vote :

Petitions etc,
R E Thompson To Correct
Assessment

C M Pares, wages

Application
Fred C Malone
Bridge Keeper

Resignation of Fred C
Bridge Keeper

Austin Electric R R Co
Hall

Reports of City Officers
Assessor & Collector
Clerk
Marshal
Sexton

Ordinance Committee
Alderman Cunee
Alderman Scott
Alderman Haynes
Alderman Rupp
Alderman Smith
Alderman Meredith
Alderman Miller
Alderman Morland
Alderman Petri
Alderman Armstrong
Alderman Creeker

Yea Aldermen Armstrong, Mereland & Scott

3

Nays Aldermen Creeker, Cuneo, Haynes, Meredith, Miller, Moore, Petri, Smith & Wilhelm

9

The vote was then taken on the motion of Alderman Haynes to adopt the majority report and the motion carried by the following vote :
Yea Aldermen Creeker, Cuneo, Haynes, Meredith, Miller, Moore, Petri, Smith & Wilhelm .

9

Nays Aldermen Armstrong, Mereland & Scott

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Alderman Read for the fire committee presented the following report
To the Hon F M Maddox, Mayor, and Board of Aldermen :

Gentlemen :

We your Fire Committee to whom was referred the securing of bids for Fire Hoses for the Austin Fire Dept beg leave to report that we recommend the acceptance of the following bids .

W H Richardson & Co D J Empires 4 ply best, with couplings at 90cts
1500 feet of same ,400 lbs test \$ 1350.00: F O B Austin

Frank Leierman & Bro ,Titan Hose 4 ply with couplings at 81 cts
1500 feet of same \$ 1215.00. F O B Austin

Walter Tips Baker Fabric 4 ply with couplings at \$1.00 per foot
2000 feet of same ,500 lbs test \$ 2000.00 .F O B Austin.

Walter Tips to take old couplings at highest market price

W C Read

C W Moore

Tom D Smith .

The report of the Committee was adopted by the following vote :

Yea Aldermen Armstrong, Creeker, Haynes, Meredith, Miller, Moore, Mereland, Petri, Read, Scott, Smith & Wilhelm

12

Nays Alderman Cuneo

1

Alderman Petri for the Claims & Accounts Committee to whom was referred the petition of J L Washam for damages presented the following report ,which was read and adopted .

Austin, Texas, Jan'y 18th 1909.

To the Hon F M Maddox, Mayor, and Board of Aldermen of the City of Austin:

Gentlemen: Your Committee on Claims & Accounts to whom was referred the petition of J L Washam for damages by reason of fall on Blance street, between 9th & 7th streets ,beg leave to report that we have carefully investigated the claim ,as well as conditions of the street at point named and recommend that the petitioner be allowed the sum of forty (40.00) dollars in full settlement of his claim.

Henry Petri,

H L Haynes

Alderman Mereland for the Special Committee on Codified ordinances presented the following report.

Austin, Texas Jan'y 18th ,1909 .

To the Hon Mayor and City Council of the City of Austin.

Gentlemen :We, your special committee, to whom was referred the matter pertaining to the receiving of the printed ordinances of the City of Austin from the Von Beeckmann Jones printing Company ,

*Fire Committee
bids to furnish*

*City of Austin
Washam's claim*

*Special Committee
Ordinances*

beg leave to report that we met and discussed the matter and in so far as the book is concerned, we will say that we have not had the opportunity of comparing the respective ordinances with the manuscript and cannot say, without a comparison, which will entail the reading of each ordinance, whether the same is correct or not. We, therefore, do not pass on this point. The only way that this can be ascertained is by the employment of a proof reader. The manuscript to these ordinances were received and paid for by a former committee, under another administration, and the manuscript was held for more than a year by the City before being delivered to the printer. The book, so far as its appearance is concerned, seems to be in due form.

Respectfully submitted,

C B Mereland

H L Haynes

A E Cuneo

F A Scott

W D Hart

On motion the report was adopted.

Alderman Miller presented the following communication.

Austin, Texas 1/5/09

W D Miller, Chairman, Purchasing Committee, City of Austin,

Austin, Texas.

Dear Sir:

Referring to our bid to furnish the City of Austin with best portland cement, will state that this cement is absolutely guaranteed by the Manufacturers to pass all tests required U S Government Engineers and the best tests required of any of the highest grades of portland cement on the market.

This is the same portland cement that the City has been using for the past eight or ten years, and they have never had cause to complain in any one instance.

This would be the best proof of quality and satisfaction that it has given, and as stated this portland cement is guaranteed by the Manufacturers, and they are the only cement manufacturers who have ever given us an absolute guarantee of the quality of their cement since we have been in business.

Trusting that this is satisfactory, we remain.

Yours very truly,

Austin White Lime Co

J A Martin V P

On motion the bid of the Austin White Lime Co to furnish the City with cement for the term ending June 30th 1909, was accepted.

Alderman Moore for the City Hall Committee presented the following report, which was read and adopted.

To the Hon F M Maddox, Mayor, and Board of Aldermen.

Gentlemen: We your City Hall Committee to whom was referred the securing of bids for concrete walks and curbing and cement gutters around City Hall, beg leave to report that we advertised and received four bids as follows.

J Brueggermann, side walks and curbs	\$435.60
Parkinson & Coppley	\$ 432.45
Wm Fuhrmann & Co	\$ 499.00
Edward St John	\$ 750.00

We recommend the acceptance of Mr Brueggermann's bid, he being the lowest, and

*Austin White Lime Co
bid for Cement*

that the Mayor be instructed to enter into contract for same.

The bids for concrete gutters ,were as follows:

J Brueggermann	\$ 132.00
Parkinson & Co	82.50
Fuhrmann & Co	112.80
Edward St John	350.00

Parkense & Coppoley being the lowest bidder .

C W Moore

Henry Petri

Tom D Smith

J M Meredith

A E Cuneo

City Hall Committee.

Alderman Scott for the City Paving Committee presented the following communication from the City Engineer.

Austin, Texas, Jan'y 18th 1909:

Hon Mayor and City Council, City of Austin, Texas.

Gentlemen :

*Communication Engineer
with Street Department*

I hope to complete the West Sixth street storm sewer by the end of this week, or early next week. The last appropriation, however, was, for several reasons, too small, and I beg to ask for an additional appropriation to cover the payrolls for the past two weeks, and this week, including the hauling of gravel. These for the past two weeks amount to \$ 325.45, and for this week it will probably amount to \$ 120.00. Total \$ 445.45 . There will be, in addition, some material bills which can be covered when the work is wound up. When the last report was made there were some large material bills which I had approved ,and which I believed had been deducted from the account, but which had not, so that my estimate for the balance of the expense was too small. In addition I have found that the excavation has unavoidably cost more than I estimated, on account of hard digging in heavy clay, and in the last block a coating of stone had to be cut through . It was also considered advisable to continue the 30" sewer to Colorado street instead of reducing it to 24" at Lavaca. An ordinance has been prepared to cover the above appropriation, which is for labor already done, and amount estimated for this week for labor.

Yours very truly,

G S Iredell, City Engineer.

On motion the communication was laid over to come up with the ordinance .

*Should be included in
part of the bill*

Alderman Haynes moved that parties who have already been notified to put in side walks and have not done so ,be notified that unless they begin work within ten days ,the City will proceed to institute suit to compel them to do said work, which motion prevailed .

Alderman Scott moved that the City Engineer be authorized to employ an Assistant for the purpose of giving street numbers ,which motion prevailed by the following vote :

Yeas Aldermen Creeker, Haynes, Meredith, Moore, Moreland, Petri, Scott, Smith & Wilhelm 9

Nays Aldermen Armstrong, Cuneo & Miller .

On recommendation of the Mayor the fines against the following persons were remitted: Viz : Seth Custer Volksberger Will Dechard & Co Benell.

Alderman Armstrong moved that the Council now proceed to the election of a Bridge Keeper to fill the vacancy caused by the resignation of Fred C Malone ,which motion prevailed .

Aldermen Moreland ,Armstrong & Smith were appointed tellers .

Alderman Creeker nominated J C Adrian.Alderman Moore nominated W P Coghlan

Alderman Petri nominated Oscar Pressler.Alderman Wilhelm nominated R H Matthews .

Alderman Scott nominated H C Ramsey.Alderman Cuneo nominated J B Shugart

Alderman Scott nominated J M Wilson.The Mayor nominated J M A Haigler & W A Johnson

Alderman Moore moved that after the second ballot the lowest man be dropped,which motion prevailed .

The tellers announced the following as the result of the first ballot,viz:

Coghlan 4,Ramsey 1,Wilson 2,Adrian 3 ,Matthews 1,Pressler 1.

No one having received a majority a new ballot was ordered.

The tellers announced the following as the result of the second ballot,viz:

Coghlan 3,Ramsey 1,Wilson 2,Adrian 3,Matthews 1 ,Pressler 2.

No one having received a majority a new ballot was ordered.

No one having received a majority a new ballot was ordered.

The names of Matthews & Ramsey were dropped.

The tellers announced the following as the result of the 3rd ballot,viz:

Coghlan 3,Wilson 3,Adrian 4,No one having received a majority a new ballot was ordered. The names of ~~Wilson~~ & Pressler were dropped

The tellers announced the following as the result of the 4th ballot ,viz:

Coghlan 6,Wilson 2,& Adrian 4.There being no election a new ballot was ordered The name of Wilson was dropped.

The tellers announced the following as the result of the 5th ballot,viz:

Coghlan 5 Adrian 7.Mr Adrian having received a majority of all the votes the Mayor declared him duly elected Bridge Keeper for the unexpired term of F C Malone.

Unfinished business :

The Mayor laid before the Council an ordinance authorizing the Austin Electric R R Co to change its tracks on San Jacinto and other streets.The ordinance was read the second time ,and on motion the rule was suspended and the ordinance placed on its third reading and final passage by the following vote :

Yeas Aldermen Armstrong,Creeker,Cuneo,Haynes,Meredith,Miller,Moore,Petri,Scott & Wilhelm & Smith 11

Nays Alderman Moreland 1

The ordinance was read the third time,and a motion made to pass the same ,which motion was lost by the following vote :

Yeas Aldermen Armstrong,Moreland,Scott & Wilhelm 4

Nays Aldermen Creeker,Cuneo,Haynes,Meredith,Miller,Moore,Petri & Smith 8

On motion Alderman Miller was excused from farther attendance at this session of the Council.

By Alderman R Smith an ordinance appropriating the sum of \$4555.00 for the purpose of paying for Fire Hoses for the Fire Dept.

The ordinance was read the first time and passed under suspension of the rules:

Fines remitted
Seth Custer, Volksberger
Will Dechard & Co Benell

Resignation of F. C. Malone
accepted

Election Bridge Keeper

J. C. Adrian
elected

Ordinance
Austin E. R. Co.
track

Alfred Smith

by the following vote:

Yeas Aldermen Armstrong, Creeker, Cuneo, Haynes, Meredith, Moore, Mereland, Petri, Scott, Smith & Wilhelm 11

Nays none.

Alderman Cuneo offered the following resolution, which was read and adopted:

Be it resolved by the City Council of the City of Austin

that the County Commissioners of Travis County, Texas, be and they are hereby authorized to remove from the East side of the "Retaining wall" situated at the intersection of Congress Avenue and Colorado River a block 3 feet in depth by 25 feet in length for a roadway, providing however that the said Travis County shall replace in its present condition all material removed and put said wall in its present shape at the cost of the said Travis County, immediately upon the completion of the new bridge across the Colorado River.

By Alderman Scott an ordinance appropriating the sum of \$446.45 for the purpose of paying pay rolls and sand for W 5th street Stern sewer. The ordinance was read the first time and passed under suspension of the rules by the following vote:

Yeas Aldermen Armstrong, Creeker, Cuneo, Haynes, Meredith, Moore, Mereland, Petri, Scott, Smith & Wilhelm 11

Nays none.

Alderman Moore moved that the Engineer be instructed to notify Mr G A Bahn to come and take away the Clock in the Council chamber and keep it, which motion prevailed.

The Mayor laid before the Council an ordinance appropriating the sum of \$ 181.07 for the purpose of paying balance due on Sprinkler.

The ordinance was read the first time and passed under suspension of the rules by the following vote:

Yeas Aldermen Armstrong, Creeker, Cuneo, Haynes, Meredith, Moore, Mereland, Petri, Scott, Smith & Wilhelm 11

Nays none.

By Alderman Scott an ordinance appropriating the sum of \$ 402.19 for the purpose of paying approved accounts street Dept.

The ordinance was read the first time and passed under suspension of the rules by the following vote:

Yeas Aldermen Armstrong, Creeker, Cuneo, Haynes, Meredith, Moore, Mereland, Petri, Scott, Smith, & Wilhelm 11

Nays none.

By Alderman Haynes an ordinance appropriating the sum of \$ 75.00 for the purpose of paying G A Wheatley for services as Clerk in City Clerks office. The ordinance was read the first time and passed under suspension of the rules by the following vote:

Yeas Aldermen W Armstrong, Creeker, Cuneo, Haynes, Meredith, Moore, Mereland, Petri, Scott, Smith & Wilhelm 11

Nays none.

By Alderman Haynes an ordinance appropriating the sum of \$ 140.00 for the purpose of paying salaries of Aldermen for the month of

Train Co authorized to remove a part of the Retaining Wall at Colorado River, c

By Scott Storm sewer effrs.

As a result of which to remove clock in Council Chamber.

Balance on sprinkler

Approved by Scott

Just a few more of the

Balance Aldermen

. January 1909. The ordinance was read the first time and passed under suspen-

-sion of the rules by the following vote :

Yeas Aldermen Armstrong, Creeker, Cunn, Haynes, Meredith, Moore, Moreland,
Petri, Scott, Smith & Wilhelm 11

Nays none .

BY Alderman Scott an ordinance appropriating the sum of \$ 15.35 for the
purpose of paying the salary of Asst to the Engineer for the month of Jan'y 09
The ordinance a was read the first time and passed under suspension of the
rules by the following vote :

Yeas Aldermen Armstrong, Creeker, Cunn, Haynes, Meredith, Moore, Moreland, Petri,
Scott, Smith & Wilhelm 11

Nays none .

On motion the Council adjourned .

Geo. A. Johnson
City Clerk.

Salary Asst Engineer